रजिस्ट्री सं० डी० एल०-33004/95 REGISTERED NO. DL-33004/95

भारत का राजपत्र
The Gazette of India

असाधारण
EXTRAORDINARY
भाग II—खण्ड 2
PART II—Section 2
प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं० 11] नई दिल्ली, मंगलवार, अप्रैल 25, 1995/वैशाख 5, 1917
No. 11] NEW DELHI, TUESDAY, APRIL 25, 1995/VAISAKHA 5, 1917

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

SECRETARIAT ... GOVT. OF INDIA

RAJYA SABHA

The following Bill was introduced in the Rajya Sabha on the 25th April, 1995.

BILL No. XIX OF 1995

A Bill further to amend the Pondicherry (Administration) Act, 1962.

BE it enacted by Parliament in the Forty-sixth Year of the Republic of India as follows:—

Short title and commencement.

1. (*1*) This Act may be called the Pondicherry (Administration) Amendment Act, 1995.

(*2*) It shall be deemed to have come into force on the 6th day of November, 1962.

Insertion of new section 10A.

49 of 1962.

2. In the Pondicherry (Administration) Act, 1962, after section 10, the following section shall be inserted, namely :—

Chapter VI of Part VI of the Constitution to apply to the Madras

"10A. The provisions of Chapter VI of Part VI of the Constitution shall apply to the High Court in relation to the exercise of its jurisdiction to the Union Territory of Pondicherry, subject to the following exceptions and modifications, namely:—

(*a*) the references in the said Chapter to "State" except where it occurs in the expression "Governor of the State" shall be construed as references to the Union territory of Pondicherry;

High Court exercising jurisdiction over Union territory of Pondicherry.

(*b*) in clause (*1*) of article 233 and in article 234, the references to the Governor of the State, and in article 237, the reference to the Governor, shall be construed as references to the Administrator;

(*c*) the provisions of article 233A shall not apply;

(*d*) in article 234 the reference to the State Public Service Commission shall be construed as a reference to the Union Public Service Commission.".

STATEMENT OF OBJECTS AND REASONS

The Pondicherry (Administration) Act, 1962 (49 of 1962) provides *inter alia* for extension of the jurisdiction of the High Court at Madras to the Union territory of Pondicherry with effect from the 6th November, 1962. Section 10 of the said Act provides that the High Court at Madras shall have, in respect of Pondicherry, all such jurisdiction as under the law in force immediately before the appointed day was exercisable in respect of the former French Establishments by the Cour de Cassation, the Cour Superieur d' Arbitrage and the Conseil d' Etat of France. However, the Act does not expressly provide for the application of Chapter VI of Part VI of the Constitution to the High Court of Madras with respect to administrative control over the subordinate judiciary in the Union territory of Pondicherry.

2. It is proposed to insert a new section in the Act to provide that the provisions of Chapter VI of Part VI of the Constitution shall apply to the High Court at Madras in relation to the exercise of its jurisdiction over the Union territory with effect from the 6th November, 1962.

3. The Bill seeks to achieve the above said object.

S. B. CHAVAN,

V. S. RAMA DEVI,
Secretary-General.

Published by the Secretary-General, Rajya Sabha under rule 68 of the Rules of Procedure and Conduct of Business in the Rajya Sabha.

PRINTED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI 1995.